

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN ROBERT DEMOS, JR.,

11 Plaintiff,

v.

12 UNITED STATES DISTRICT COURT,

13 Defendant.

CASE NO. C23-5157-JCC

ORDER

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15 This matter comes before the Court on Plaintiff John Demos's objections (Dkt. No. 3) to
16 the Report and Recommendation ("R&R") (Dkt. No. 2) of the Honorable S. Kate Vaughan,
17 United States Magistrate Judge, recommending this Court dismiss Plaintiff's complaint as
18 frivolous for failure to state a claim upon which relief may be granted. Having thoroughly
19 considered Plaintiff's objections and the relevant record, the Court hereby OVERRULES the
20 objections, ADOPTS the R&R, and DISMISSES the case with prejudice, for the reasons
21 explained herein.

22 Plaintiff is under a pre-filing bar order in several courts, including the Western District of
23 Washington. *See, e.g., Demos v. Storrie*, 507 U.S. 290, 291 (1993); *Demos v. U.S. Dist. Ct. for E.*
24 *Dist. of Wash.*, 925 F.2d 1160 (9th Cir. 1991). In the current case, Plaintiff alleges that United
25 States Magistrate Judge Theresa L. Fricke, and United States District Court Judge Stanley A.
26 Bastian, violated his rights during various court proceedings. (Dkt. No. 1 at 8.) Judge Vaughan

1 found that Plaintiff's claims are frivolous and fail to state a claim on which relief may be
2 granted. (Dkt. No. 2 at 2.) Plaintiff's objections to the R&R do not trigger this Court's review,
3 because they are conclusory, and summaries of arguments previously presented.¹

4 Accordingly, the Court hereby ORDERS:

- 5 (1) Plaintiff's objections (Dkt. No. 3) are OVERRULED.
- 6 (2) The R&R (Dkt. No. 2) is APPROVED and ADOPTED.
- 7 (3) Plaintiff's complaint (Dkt. No. 1) is DISMISSED with prejudice as frivolous for
failure to state a claim upon which relief may be granted.
- 9 (4) The Clerk is DIRECTED to administratively CLOSE this matter and send copies
10 of this order to Plaintiff and to Judge Vaughan.

11 DATED this 19th day of April 2023.



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13 John C. Coughenour
14 UNITED STATES DISTRICT JUDGE
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21 ¹ A district reviews *de novo* those portions of a magistrate judge's R&R to which a party
properly objects. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A party properly objects when
they file "specific written objections" to the R&R as required under Federal Rule of Civil
Procedure 72(b)(2). Objections are required to enable the court to "focus attention on those
issues—factual and legal—that are at the heart of the parties' dispute." *Thomas v. Arn*, 474 U.S.
140, 147 (1985). The court is not required to review "any issue that is not the subject of an
objection." *Id.* at 149. Said another way, for an objection to be proper, it must point to specific
error contained within the R&R. See, e.g., *United States v. Diaz-Lemus*, 2010 WL 2573748, slip
op. at 1 (D. Ariz. 2010); see *Djelassi v. ICE Field Office Director*, 434 F. Supp. 3d 917, 919
(W.D. Wash. 2020).